

Appln No. 09/608,970  
Amdt. Dated October 17, 2003  
Reply to Office action of July 15, 2003

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### REMARKS/ARGUMENTS

1. The Examiner has rejected claims 1 – 10 as being obvious in light of Danielle (USPN 5,444,779) in view of Fox et al (Fox)(US Pg Pub 2003/0069873).

2. In reply, the Applicants have amended claim 1 to introduce the claim 5 feature that the coded data is *"indicative of a plurality of reference points of the region"* and that the indicating data is indicative of *"a position of the sensing device relative to the region."* System claim 6 has been amended in a similar way to introduce the corresponding features of claim 10.

The Applicants submit that the citations do not disclose coded data or indicating data as claimed.

Fox does not disclose any coded data that is disposed in or on a surface, let alone coded data that is indicative of a plurality of reference points of the region. Similarly, since Fox does not disclose any sensing device, there is no disclosure of indicating data that is indicative of a position of the sensing device relative to the region.

The data glyphs disclosed in Danielle do not include any position information and so are not indicative of a plurality of reference points of the region. The closest thing in Danielle to the Applicants' *"indicating data"* is the decoded glyph codes. A description of what a decoded glyph code may contain appears in column 8 at lines 27 to 40 as follows:

*"the digital information could be a representation of an ASCII data which would then be parsed to determine one or more of the following: a) an indication of a copyright for the document; b) an identification number for the document (i.e. ISBN, ISSN, etc.); c) an indication of the publisher and/or author of the document and an electronic address or equivalent indication of information necessary to properly transfer funds or notify the copyright holder; and d) the copyright royalty due as a result of copying the [entire] or portions of the document, including any discounts applicable for multiple reproductions."*

Nowhere in this comprehensive list of the contents of the *"digital information"* obtained from the decoded glyph codes is there any information which is indicative of *"a position of the sensing device relative to the region."* There is therefore no disclosure of any *"indicating data"* as claimed by the Applicants.

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In addition, in paragraph 4 of the Official Action the Examiner has equated the Applicants' "sensing device" with Danielle's "glyphs detector, 30". If this is the case, then the Danielle "sensing device" never moves "relative to the region" and "... a position of the sensing device relative to the region" is meaningless. Even if the position could be construed to have some meaning it is clear that the "digital information" obtained from Danielle's decoded glyph codes are not indicative of such a position. Danielle therefore does not disclose any indicating data which is "indicative of ... a position of the sensing device relative to the region."

3. In light of these arguments and amendments, the Examiner is respectfully requested to reconsider his obviousness objections and to allow this application to proceed to acceptance.

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**CONCLUSION**

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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